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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,236	03/29/2004	Jac-Bycong Han	678-1372 (P11267)	2193

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EXAMINER

HEIBER, SHANTELL LAKETA

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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10/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/812,236	Applicant(s) HAN, JAE-BYEONG	
	Examiner Shantell Heiber	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-8 and 12-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-8 and 12-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 30, 2007 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 4-8 and 12-15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4-7 and 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinnunen et al. (Kinnunen), U.S. Publication No. 2001/0018349 in view of Geddes et al. (Geddes), U.S. Patent No. 7,142,840.

Regarding Claims 1, 4 and 7, Kinnunen discloses a method in the mobile communication terminal for differentially implementing functions of the mobile communication terminal according to a class of a user, comprising the steps of: setting at least one condition (**location and user profile; [0077]**) for selecting at least one function (**available services; [0077]**) in order to differentially implement the at least one function according to the class of the user (**the class of the user is based on information in the user profile; [0078]-[0091]**); activating a menu (**the service agent provides the ME with the capability to browse applicable services based on location and user profile**) for selecting the at least one function available to the user when the at least one preset condition is met **[0100], [0101] and [0125]**; informing the user through a text message received by the mobile terminal from a mobile service provider (**the network informs the ME of new available services in the form of URL text; [0108] and [0121]**) of a change in the at least one function available to the user after a change of the user's class (**the user's class can change when the ME moves into another service deployment area and when the ME modifies their user profile; [0128] and [0138]**); and applying the change in the at least one function available to the user to the mobile communication terminal (**new services become available when the ME moves and when the ME makes changes to the profile this reflects the results of profile matching done to find applicable and advertised services; [0128] and [0138]**).

Kinnunen fails to disclose wherein the text message includes a service code corresponding to the at least one function that changes due to the change in the class of the user.

In a similar field of endeavor, Geddes discloses a method and system for multi-network authorization and authentication. Geddes further discloses wherein the text message includes a service code corresponding to the at least one function that changes due to the change in the class of the user **(the system generates pass codes randomly for use with a particular transaction. The system may send a pass code to the user as a message to the user's mobile phone; Col. 3, lines 17-27; Col. 6, lines 4-17 and Col. 7, line 60-Col. 8, line 23).**

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to authenticate users requesting access to a service (Geddes-Col. 8, lines 49 and 50) based on location (Kinnunen).

Regarding Claim 5, the combination of Kinnunen and Geddes discloses the method as described above.

The combination of Kinnunen and Geddes further discloses wherein the step of applying the change in the at least one function comprises further comprises: requesting the user to input a service code corresponding to the at least one function that becomes available due to the change in the class of the user; and receiving the service code input by the user in response to the request **(Geddes-Col. 7, line 60-Col. 8, line 23).**

Regarding Claim 6, Kinnunen discloses wherein the step of applying the change in the at least one function comprises deactivating of a menu for selecting the at least one function that becomes unavailable due to the change in the class of the user **(the ME sends an unsubscribe message modifying those services to be avoided and that are no longer required, these changes to the profile reflect the results of profile matching done to find applicable and advertised services; [0138])**.

Regarding Claim 12, Kinnunen discloses wherein said control section activates a menu for selecting the at least one function that becomes available due to the change in the class of the user **(new services become available when the ME moves and when the ME makes changes to the profile this reflects the results of profile matching done to find applicable and advertised services; [0128] and [0138])**.

Regarding Claim 13, the combination of Kinnunen and Geddes discloses the mobile communication terminal as described above.

The combination of Kinnunen and Geddes further discloses wherein said control section requests the user to input a service code corresponding to the at least one function that becomes available due to the change in the class of the user and receives the service code input by the user in response to the request **(Geddes-Col. 7, line 60-Col. 8, line 23)**.

Regarding Claim 14, Kinnunen discloses wherein said control section deactivates a menu for selecting the at least one function that becomes unavailable due to the change in the class of the user **(the ME sends an unsubscribe message modifying those services to be avoided and that are no longer required, these**

changes to the profile reflect the results of profile matching done to find applicable and advertised services; [0138]).

Regarding Claim 15, Kinnunen discloses wherein the menu includes a plurality of menu items (**set of services available**) each different from the other, each menu item corresponding to a function of the mobile communication terminal **[0101]**.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kinnunen and Geddes in view of Vanttila et al (Vanttila), U.S. Patent No. 5,794,142.

Regarding Claim 8, the combination of Kinnunen and Geddes discloses the mobile communication terminal as described above.

Kinnunen and Geddes fails to disclose wherein said memory stores information including at least one of a function identification (ID) representing a unique number assigned to the at least one function, a function name, a function type showing the at least one condition for selecting the at least one function, and a service code corresponding to the at least one function.

Vanttila discloses wherein said memory stores **(24)** information including at least one of a function identification (ID) (**identification code**) representing a unique number assigned to the at least one function, a function name (**feature name**), a function type (**activation or deactivation, shown in table**) showing the at least one condition for selecting the at least one function, and a service code (**feature code**) corresponding to the at least one function (**Col. 5, Table and lines 51-61**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide the claimed information for each service function to allow the

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user to distinguish between the different services and to make their available selections by using the service/feature codes.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Espejo et al., U.S. Patent No. 6,748,066 discloses a pre-paid wireless interactive voice response system with variable announcements.

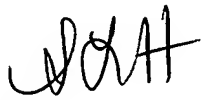
Kennedy, III et al., U.S. Patent No. 6,535,743 discloses a system and method for providing directions using a communication network.

Lohtia et al., U.S. Patent No. 6,560,456 discloses a system and method for providing subscriber-initiated information over the short message service (sms) or a microbrowser.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shantell Heiber whose telephone number is 571-272-0886. The examiner can normally be reached on Monday-Friday 7:00am-3:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


SLH


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